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March 5, 2004

Mr. Jeffrey Holmstead  
Assistant Administrator  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
Room 5426  
USEPA Headquarters, Ariel Rios Building  
1200 Pennsylvania Ave, N.W.  
Washington, DC 20460

Dear Mr Holmstead,

On Monday, March 15, 2004 at the Southwest Florida Water Management District Headquarters, in the west wing, 170 Century Drive, Bartow, FL 33830, the Government Reform Committee's Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census will conduct an oversight hearing on "Phosphogypsum: Should We Just Let It Go To Waste? -Part 2." The purpose of this hearing is to identify the risks of phosphogypsum and its potential uses. On behalf of the Subcommittee, I respectfully request your testimony at this hearing.

In 1989, the U.S. Environmental Protection Agency determined phosphogypsum a "waste" and banned the use of it in any respect. Stacking it became required under the rule based on EPA's risk assessment of the product due to the lower levels of radiation it contains. In 1992, the EPA modified the rule to allow phosphogypsum with an average radium-226 concentration of less than 10 picocuries/gram for agricultural application as a soil amendment, and in 1999, EPA promulgated a rule raising the limit of quantity of phosphogypsum that may be used for indoor research and development from 700 to 7,000 lbs. and clarifying sampling requirements and procedures. These are steps in the right direction.

Utilization of phosphogypsum in a commercial sense can serve the public as well as industry. There is a need for sound science to truthfully establish that the danger involved, however plausible, is extremely unlikely. The accumulation of the chemical product has become a paramount concern in recent years. Currently more than one billion tons of phosphogypsum rests in 24 stacks in Florida, and events such as the



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potentially catastrophic spill at Piney Point and the efforts taken to assure environmental protection have raised federal, state and local concerns.

The Subcommittee recognizes the need to understand the risks of phosphogypsum and the EPA rulings. At the same time, it is advantageous to explore the uses of it as a road base, a soil amendment, a landfill cover and decomposer, and a construction material.

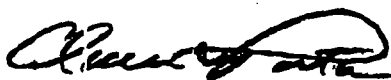
To assist the Subcommittee with its preparation, we ask that you email an electronic version of your statement and biography in Word format to [Ursula.Vojciechowski@mail.house.gov](mailto:Ursula.Vojciechowski@mail.house.gov) by 12p.m., Wednesday, March 10, 2004. In addition, we ask that you bring 100 copies of your materials with you to the hearing. The length of your written testimony is not limited, however, your presented testimony should be limited to 5 minutes in order to provide sufficient time for questions from Subcommittee members. Your complete written statement will be submitted for the record.

Furthermore, we would ask that all non-government witnesses submit with their biography a listing of any federal grants/contracts received in the previous fiscal year.

In addition, according to Section 210 of the Congressional Accountability Act, the House of Representatives must be in compliance with the Americans with Disabilities Act. If you are in need of any special accommodations, based on disability, please contact us at least four days in advance.

I look forward to your appearance and testimony. Thank you in advance for your participation. Should you have any questions please contact the Subcommittee at the above referenced number.

Sincerely,



Adam H. Putnam, Chairman  
Subcommittee on Technology, Information Policy,  
Intergovernmental Relations and the Census

AP:ujw